

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

STOCKTON UNIFIED SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2013110624

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On November 18, 2013, Stockton Unified School District (District) filed a Due Process Hearing Request (complaint), naming Student. On December 18, 2013, District filed a Motion to Amend the Due Process Hearing Request (amended complaint). No opposition was received from Student.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted, and includes allegations as to an individualized education program team meeting that occurred after the complaint was filed. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: December 24, 2013

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings